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TO: Members of the House Judiciary Committee

FROM: Robert Speirer, Volunteer Advocate, AARP Montana

Support of HB 35, Assistance to Victims of Identity Theft

Madame Chair and Members of the Committee, my name is Robert Speirer, volunteer advocate for AARP Montana. AARP is a non-profit, non-partisan membership organization representing 153,000 members in Montana.

I'd like to begin by thanking Representative Keane and the Economic Affairs Interim Committee for bringing HB 35. This bill is a major component of an impressive group of bills worked on by the interim committee over the last sixteen months. AARP is here to today to support HB 35.

In our most recent membership survey, over 2/3 of respondents were concerned of being a victim of identity theft and one in four were already a victim or knew a victim of identity theft. Strengthening identity theft legislation, especially legislation designed to aid victims, is a top priority of AARP Montana.

Last session, we strongly supported implementing the identity theft passport program. However, we had two areas of concern left unaddressed that HB 35 will improve. Section 1 of this bill strengthens the process of law enforcement handling a complaint and that the victim receives a copy of the complaint within 72 hours of notifying authorities. For a victim, receiving an official complaint by law enforcement is the crucial first step in obtaining a passport and starting the long process of clearing their good name.

Secondly, victims of identity theft may lose job opportunities, be refused loans for education, housing, or automobiles, or even get arrested for crimes they did not commit. Section 4 of HB 35 is especially important to victims of the latter crime, being falsely accused of a crime.

Finally, the bill helps Montana residents, who are victims of identity theft outside of the state, receive a passport. We understand that victims may not always be in the state when their identity is stolen and the protection offered by an identity theft passport should be available to all residents of Montana.

Thank you for the opportunity to speak on this bill. I urge your support of House Bill 35.